

DETAILED ACTION

**NOTE: THIS IS A CORRECTED VERSION OF THE OFFICE ACTION AND 892
REQUESTED FEBRUARY 13th 2008.**

1. Claims 6, 8, 9 and 10 objected to because of the following informalities: These claims contain invalid units of measurement. Claim 6 refers to "ptm" and claim 10 uses "Jim" for units of volume average particle size. This is assumed to be soft-scanning text recognition error. For the purpose of examination these units are assumed to mean microns to be consistent with the specification and claims before they were amended. Similarly in claims 8 the units should be m²/g and in claim 9 the units should be cm³/g. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Araya (International Publication No. WO 01/94512) in view of Swift et al. (US Patent No. 5,478,500) and Aldcroft et al. (International Publication No. WO 00/12669).

Araya teaches a zeolite detergent composition comprising an aluminosilicate and a salt identical to parts (a) and (b) of independent claim 1 (see page 1 line 33 - page 2 line 10, page 5

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lines 7-27, and claim 1). The difference in the instant claim is part (c) requiring silica having a surface area greater than $500 \text{ m}^2/\text{g}$ and pore volume of less than $2.1 \text{ cm}^3/\text{g}$. However, it would have been obvious in the art to include particulate silica in the composition of Araya et al. because Swift et al. teaches the use of silica to prevent the agglomeration (added as a flow aid) in the preparation of detergents (column 13, lines 28-33) but is silent regarding the silica's surface area and pore volume. However, it would have been obvious in the art to employ silica with a surface area greater than $500 \text{ m}^2/\text{g}$ and pore volume of less than $2.1 \text{ cm}^3/\text{g}$ in the modified composition of Araya et al. because Aldcroft et al. teaches a granular composition particularly suitable for incorporation in washing powder formulations which is amorphous silica that has a surface area of at least $550 \text{ m}^2/\text{g}$ and pore volume between 1 and 2.5 ml/g (cm^3/g) which disintegrates when dissolved in water (see abstract and claim 1 of Aldcroft et al.).

In regard to claim 2, Araya teaches that sodium is a suitable ion for the first metal moiety, M (page 3, lines 6-16).

Regarding claim 3, Araya teaches that the aluminosilicate is a zeolite P, zeolite A or zeolite X (see claim 3 of Araya).

Re claim 4, Araya teaches that aluminum is a suitable ion for the second metal salt (page 3, lines 6-16).

Re claim 5, Araya teaches that 5 to 9 is the preferred pH for the aqueous composition (page 4, lines 10-14).

Re claim 6, Araya teaches that the average particle size of the zeolites is between 0.1 and 20 microns (page 3, lines 28-31).

Re claim 7, in Example 4 on page 13 Araya teaches a suitable composition for the slurry where 35% by weight is the zeolite (alumina silicate).

Re claim 8, Aldcroft et al. teaches that the surface area of the silica preferably has a surface area above 600 m²/g (page 3, lines 36-38).

Re claim 9, Aldcroft et al. teaches that the pore volume is as low as 1 ml/g (cm³/g) (abstract, page 3, lines 5-11).

Re claim 10, Swift et al. teaches adding silica with a particle size between 1 and 3 microns as a flow agent (column 13, lines 28-33).

Re claim 11, Swift et al. teaches adding about 0.1% to about 1.5% by weight silica as a flow agent (column 13, lines 28-33).

Re claim 12, in Example 4 on page 13 Araya teaches a suitable metal salt is aluminum sulphate.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas P. D'Aniello whose telephone number is (571)270-3635. The examiner can normally be reached on Monday through Thursday from 8am to 5pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Chuan Yao can be reached on (571) 272-1224. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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NPD
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